

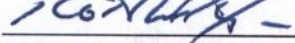


To the Honorable Council  
City of Norfolk, Virginia

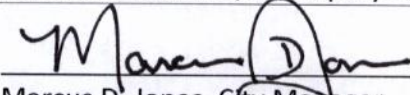
June 14, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Special exception to operate a commercial communication tower at 5880 Poplar Hall Drive – T-Mobile**

Reviewed:   
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 4/7

Approved:   
Marcus D. Jones, City Manager

Item Number:

**R-11**

I. **Staff Recommendation:** Approval.

II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.

III. **Request:** Special exception – commercial communication tower.

IV. **Applicant:** Dale Stocks, Sr.

V. **Description:**

- The site is located on the north side of Poplar Hall Drive to the south of the Military Circle Mall.
- The applicant proposes to construct a commercial communication tower on the site.
- The site is currently developed with Dale's Train Station, a retail establishment, and multiple other commercial uses including automobile repair.
- The site is currently zoned C-2 which allows a commercial communication tower by special exception.
  - The 185 foot tall tower is proposed to be located on the west side of the existing building.

VI. **Historic Resources Impacts**

The site is not located in any local, state or federal historic district.

VII. **Public Schools Impacts**

The site is located in the Fairlawn Elementary, Lake Taylor Middle, and Booker T. Washington School zones.

Staff point of contact: Susan Pollock at 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

**Attachments:**

- Staff Report to CPC dated May 26, 2016 with attachments
- Proponents and Opponents
- Ordinance

**Proponents and Opponents**

**Proponents**

C.E. Forehand – Representative  
219 Sir Oliver Road  
Norfolk, VA 23505

**Opponents**

None



**Planning Commission Public Hearing: May 26, 2016**

Executive Secretary: George M. Homewood, FAICP, CFM

Staff: Susan Pollock Hart, CFM

Staff Report	Item No.	9
Address	5880 Poplar Hall Drive	
Applicant	T-Mobile	
Request	Special Exception	Commercial Communication Tower
Property Owner	Daley Company, LC	
Site Characteristics	Site Area	1.3 Acres
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	Military Circle/Glenrock
	Character District	Suburban
Surrounding Area	North	C-3 (Retail Center): Sears auto repair facility (vacant); Military Circle Mall
	East	R-13 (Moderate Density Multi-Family): multi-family
	South	Conditional C-2: Office site; R-6 (Single-Family)
	West	C-3 (Retail Center): Sears auto repair facility (vacant); Military Circle Mall



**A. Summary of Request**

- The site is located on the north side of Poplar Hall Drive to the south of the Military Circle Mall.
- The applicant proposes to construct a commercial communication tower on the site.

**B. Plan Consistency**

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as Commercial.

**C. Zoning Analysis**

**i. General**

- The site is currently developed with Dale's Train Station, a retail establishment, and multiple other commercial uses including automobile repair.
- The site is currently zoned C-2 which allows a commercial communication tower by special exception.
  - The 185 foot tall tower is proposed to be located on the west side of the existing building.

**ii. Parking**

- The site is located in the Suburban Character District which requires:
  - One parking spaces per 250 square feet of commercial/office space (55 spaces)
  - For automobile repair, three parking spaces per bay (three bays requires 9 parking spaces)
  - The applicant has provided two parking spaces for the tower.
  - In total, 64 parking spaces are required and 73 are provided.

**iii. Flood Zone**

- The property is in an X (Low to Moderate) Flood Zone which is not a special flood hazard zone.

**D. Transportation Impacts**

N/A

**E. Historic Context and Impacts**

The site is not located in any local, state or federal historic district.

**F. Public School Impacts**

The site is located in the Fairlawn Elementary, Lake Taylor Middle, and Booker T. Washington School zones.

**G. Impact on the Environment**

The applicant proposes to provide landscaping on the site along Poplar Hall Drive and around the dumpster.



**H. AICUZ Impacts**

N/A

**I. Impact on Surrounding Area/Site**

- The site is generally surrounded by commercial uses.
- The addition of a communication tower would not have a negative impact on the surrounding land uses.

**J. Payment of Taxes**

The owner of the property is current on all real estate taxes.

**K. Civic League**

A letter was sent to the Glenrock Civic League on April 13.

**L. Communication Outreach/Notification**

- Legal notice was posted on the property on April 19.
- Letters were mailed to all property owners within 300 feet of the property on May 13.
- Legal notification was placed in *The Virginian-Pilot* on May 12 and May 19.

**M. Recommendation**

Staff recommends that the special exception be **approved** subject to the following conditions:

1. On-site lighting shall be directed and shielded so as not to glare into any adjacent residential properties or public rights-of-way.
2. If the tower is not utilized for a period of 6 consecutive months, it shall be removed.
3. The holder of this special exception will construct the tower in a manner which will accommodate future multiple users in an effort to reduce the number of similar towers in the immediate area.
4. The holder of this special exception shall be obligated to maximize co-location of antennae on this tower at market lease rates.
5. No final approvals shall be provided to any new structure on the site prior to the implementation of the improvements indicated on the attached landscape plan.

**Attachments**

Zoning Map

Location Map

Application

Letter to Glenrock Civic League

## **Proponents and Opponents**

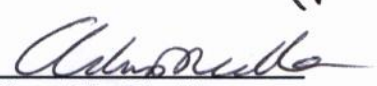
### **Proponents**

C.E. Forehand – Representative  
219 Sir Oliver Road  
Norfolk, VA 23505

### **Opponents**

None

Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved:

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT  
THE CONSTRUCTION OF A COMMUNICATION TOWER (COMMERCIAL)  
ON PROPERTY LOCATED AT 5880 TO 5888 POPLAR HALL DRIVE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the construction of a Communication Tower (commercial) on property located at 5880 to 5888 Poplar Hall Drive. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 223 feet, more or less, along the northern line of Poplar Hall Drive beginning 722 feet, more or less, from the western line of Glenrock Road and extending westwardly; premises numbered 5880 to 5888 Poplar Hall Drive.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) On-site lighting shall be directed and shielded so as not to glare into any adjacent residential properties or public rights-of-way.
- (b) If the tower is not utilized for a period of six (6) consecutive months, it shall promptly be removed at the expense of the owner.
- (c) The tower will be constructed in a manner which will accommodate multiple users in the future, for the purpose of reducing the need to construct similar towers in the immediate area.
- (d) The applicant for this special exception shall maximize the co-location of other antennae on this tower by offering to lease useful, available space to others at reasonable, market rates.



- (e) No advertisements or signage shall be allowed on the tower.
- (f) No final approvals, including no final approval of all building permits, shall be issued with regard to any new structure on the site until all improvements indicated on the landscape plan attached hereto and marked as "Exhibit A" have been fully implemented.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;



- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

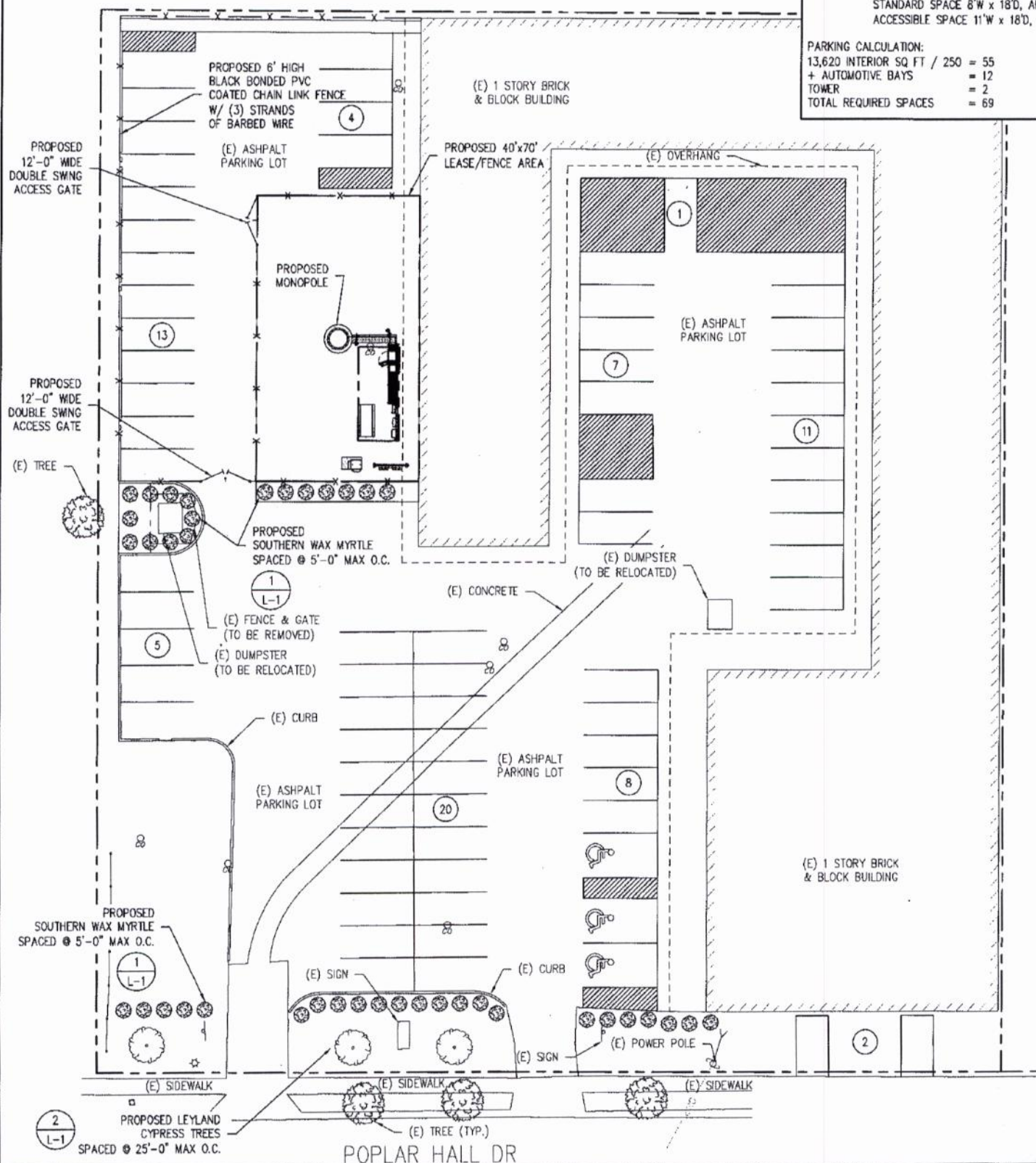
Exhibit A (1 page)

## Exhibit A

PLANTING SCHEDULE							
TYPE	BOTANICAL NAME	COMMON NAME	CALIPER	HEIGHT	SPREAD	QUANTITY	REMARKS
			2 1/2" MIN.	8'	25' O.C.		
CL	CUPRESSOCYPARIS LEYLANDII	LEYLAND CYPRESS				3	FULL, DENSE. PLANT AS SHOWN
MC	MYRICA CERIFERA	SOUTHERN WAX MYRTLE	—	3'-5'	18"-30"	40	FULL, DENSE. PLANT AS SHOWN

\*TREE CONTAINER TO BE MIN. 25 GAL OR EQUIVALENT BALL AND BURLAP.

PARKING REQUIREMENTS	
PARKING TOTALS	[REQUIRED]
STANDARD SPACES	69*
ACCESSIBLE SPACES	3
GRAND TOTALS:	
*REQUIRED: (1) PARKING FOR EACH 250 SQUARE FEET OF GROSS FLOOR AREA	
STANDARD SPACE 8'W x 18'D, AND	
ACCESSIBLE SPACE 11'W x 18'D, /	
PARKING CALCULATION:	
13,620 INTERIOR SQ FT / 250 =	55
+ AUTOMOTIVE BAYS	= 12
TOWER	= 2
TOTAL REQUIRED SPACES	= 69



LANDSCAPE PLAN

FOR 24" X 36" PLOT -  $1/16" = 1' \ 0 \ 4'$   
FOR 11" X 17" PLOT -  $3/64" = 1' \ 0 \ 4'$

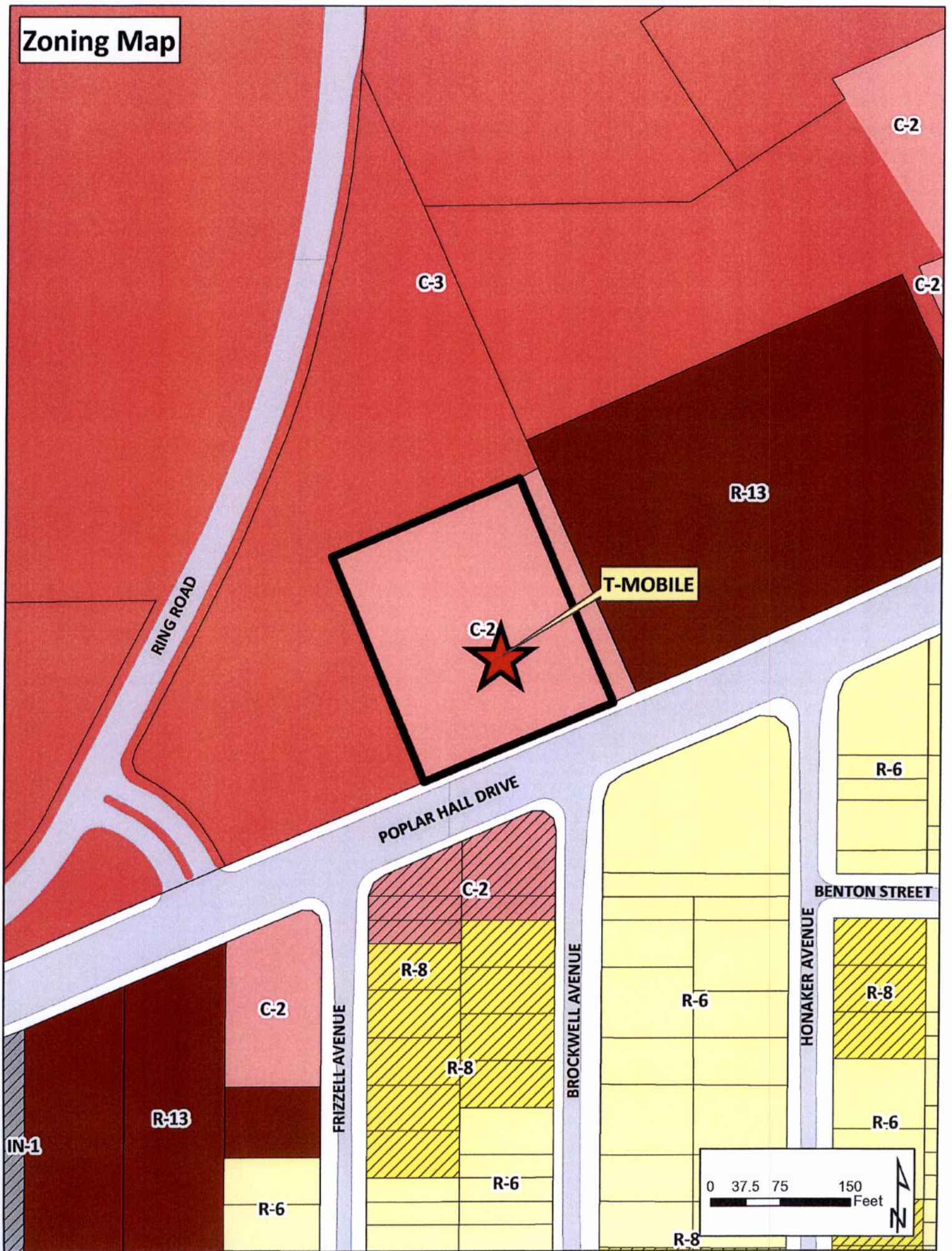


# Location Map





# Zoning Map







**APPLICATION  
SPECIAL EXCEPTION**

Special Exception for: Communication tower

Date of application: 3-30-16

**DESCRIPTION OF PROPERTY**

Property location: (Street Number) 5880 (Street Name) Robert Hall Drive

Existing Use of Property Commercial - light Industrial

Current Building Square Footage N/A - parking lot

Proposed Use Cell tower - monopole

Proposed Square Footage 2,800 Exterior space

Proposed Hours of Operation: Unmanned Radio station

Weekday From N/A To \_\_\_\_\_

Friday From \_\_\_\_\_ To \_\_\_\_\_

Saturday From \_\_\_\_\_ To \_\_\_\_\_

Sunday From \_\_\_\_\_ To \_\_\_\_\_

Trade Name of Business (If applicable) T-Mobile

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

**APPLICANT**

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Tmobile (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): CPFCI Towers 2528 House Pasture Road

(City) Virginia Beach (State) VA (Zip Code) 23453

Daytime telephone number of applicant ( ) 757 650-4673 Fax ( ) 757 490-4990

E-mail address of applicant: ce4hand@cox.net

**AUTHORIZED AGENT (if applicable)**

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) \_\_\_\_\_ (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): \_\_\_\_\_

(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code) \_\_\_\_\_

Daytime telephone number of applicant ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail address of applicant: \_\_\_\_\_

**PROPERTY OWNER**

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Daley Co (First) \_\_\_\_\_ (MI) \_\_\_\_\_

Mailing address of property owner (Street/P.O. box): 5880 Poplar Hill Drive

(City) Norfolk (State) VA (Zip Code) \_\_\_\_\_

Daytime telephone number of owner ( ) 461-3638 email: rinters1@cox.net

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)



**CIVIC LEAGUE INFORMATION**

Civic League contact: \_\_\_\_\_

Date(s) contacted: \_\_\_\_\_

Ward/Super Ward information: \_\_\_\_\_

**REQUIRED ATTACHMENTS:**

- ✓ Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
  - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
  - Existing and proposed building structures
  - Driveways
  - Parking
  - Landscaping
  - Property lines (see attached example)
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.

**CERTIFICATION:**

**I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:**

Print name: \_\_\_\_\_ Sign: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(Property Owner) (Date)

Print name: C.E. Fanchano Sign: [Signature] 2, 18, 16  
(Applicant) (Date)

**ONLY NEEDED IF APPLICABLE:**

Print name: Alex Stacks Sign: [Signature] 02 18 16  
(Authorized Agent Signature) (Date)

**DEPARTMENT OF CITY PLANNING**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised September, 2015)

## Pollock, Susan

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**From:** Straley, Matthew  
**Sent:** Wednesday, April 13, 2016 10:59 AM  
**To:** 'wewatchglenrock@live.com'  
**Cc:** Riddick, Paul; Williams, Angelia M.; Goldin, Jamie; Pollock, Susan  
**Subject:** new Planning Commission application  
**Attachments:** TMobile.pdf

Mr. Hicks,

Attached please find the application for a special exception to construct and operate a communication tower (commercial) at 5880 Poplar Hall Drive

The item is tentatively scheduled for the May 26, 2016 Planning Commission public hearing.

Staff contact: Susan Pollock Hart at (757) 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

Thank You.

Matthew Straley  
GIS Technician II

  
City Planning  
810 Union Street, Suite 508  
Norfolk, VA 23510  
757-664-4769

Connect with us:  
[www.norfolk.gov](http://www.norfolk.gov)

